

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AUGUSTUS HEBREW EVANS, JR.,)
Plaintiff,)
v.) C.A. No. 20-1208 (JLH)
MATTHEW WOFFORD,)
Defendant.)

MEMORANDUM ORDER

At Wilmington, this 3rd day of November, 2025;

WHEREAS, on January 25, 2024, the Court dismissed Defendants McKay and Meon without prejudice under Federal Rule of Civil Procedure 4(m) for failure to effectuate service, leaving Defendant Wofford as the sole defendant;

WHEREAS, on May 3, 2024, Plaintiff and Defendant Wofford filed a joint stipulation of dismissal dated April 19, 2024 (D.I. 170);

WHEREAS, as there were no remaining Defendants, the Court closed the case (D.I. 171);

WHEREAS, subsequently, on May 10, 2024, Plaintiff filed a Motion to Amend to add Defendants (D.I. 172);

WHEREAS, on November 15, 2024, the Court denied the motion to amend and instructed Plaintiff that he must file a new action (D.I. 177);

WHEREAS, Plaintiff has now moved for reconsideration (D.I. 178; D.I. 187) of the Court's November 15, 2024 Order (D.I. 177) on the basis that the "motion to amend was filed and pending before settlement with Defendant Wofford" (D.I. 178 at 1), but the record does not support Plaintiff's assertion;

WHEREAS, although Plaintiff asserts that he was previously unable to locate Defendant Christopher Moen (or Meon), the record reflects that Plaintiff was granted numerous opportunities to effect service on Defendant Moen between September 2020, when this case was initiated, and January 2024, when the Court dismissed Defendant Moen;

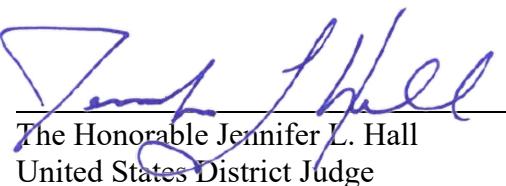
WHEREAS, Plaintiff's assertion that he has now discovered Moen's whereabouts does not warrant reconsideration of this Court's denial of Plaintiff's motion to amend his pleading (filed after this case was closed);

WHEREAS, Plaintiff also appears to seek reconsideration of the Court's denial of his request for appointed counsel (D.I. 187), but Plaintiff has not persuaded the Court that reconsideration is warranted, particularly since this case is closed;

NOW, THEREFORE, IT IS HEREBY ORDERED that Plaintiff's pending motions for reconsideration (D.I. 178; D.I. 187) are **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's letter motion requesting clarification from counsel regarding his April 19, 2024 stipulation (D.I. 179) is **DENIED** without prejudice because it does not seek any ruling by this Court.

IT IS FINALLY ORDERED that Plaintiff's motion to declare his April 19, 2024 stipulation null and void (D.I. 186) is **DENIED** because Plaintiff provides no basis for such relief.



The Honorable Jennifer L. Hall
United States District Judge